

REMARKS

Claims 1, 2, 4-10, 12-17, 22, and 24-26 are pending in the application. By this amendment, claims 2, 5-7, and 16 have been amended; claims 1, 4, 12, 13, 17, 22, and 24-26 have been canceled, and new claims 27-32 have been added. Applicants believe the amendments made herein add no new matter. Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based on prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to be attached thereto. Reconsideration and reexamination of the application is respectfully requested in view of the amendments and the following remarks.

Claims 12, 13, and 26 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. The rejection is respectfully traversed. By this amendment, claims 12, 13, and 26 have been canceled, thereby rendering the rejection moot. Applicants respectfully request withdrawal of the rejection.

Claims 1, 2, 4-6, 9, 10, 12, 13, 16, 17, 22, and 24-26 stand rejected under 35 U.S.C. § 102(b) as being anticipated by European Patent Application Publication No. 0545127 A1 to Milocco ("Milocco") or, in the alternative, under 35 U.S.C. § 103 as obvious over Milocco. The rejection is respectfully traversed.

Milocco discloses a dishwasher water supply circuit comprising a water softener 7 mounted within a door 3 of the dishwasher. Water from an external supply is provided to the water softener via a valve 11 and conduit 10, part of which is located in the casing 1 and part of which is located in the door 3. Water exiting the water softener is provided to the wash tub 2 via a conduit 16, part of which is located in the door 3 and part of which is located in the casing 1. The portions of the respective conduits 10, 16 located in the door 3 and in the casing 1 are connected when the door 3 is closed with break-away coupling means 17, 18, respectively. The break-away coupling means 17, 18 break-away or separate when the door 3 is opened. The door 3 further houses a reservoir 8 and salt container 9 in fluid communication with the conduit 10 and the water softener 7 to provide regeneration water to the water softener 7.

Per the current amendment, claim 1 has been canceled and replaced with new claim 27; thus, the rejection of claim 1 will be addressed with respect to claim 27. Claims 4, 12, 13, 17, 22, and 24-26 have been canceled, thereby rendering moot their rejection.

Claim 27 calls for a dishwasher to comprise a liquid delivery system for delivering liquid to a wash aid dispenser provided on the door. The liquid delivery system comprises a continuous liquid conduit coupling at least one of an external liquid supply and the wash chamber to the wash aid dispenser when the door is in both the closed and opened positions. Further, the conduit includes an extendable portion to accommodate any changes in the hose length needed to move the door between the closed and opened positions. Because Milocco does not disclose these claim elements, Milocco does not anticipate claim 27.

In particular, Milocco does not disclose a continuous liquid conduit coupling at least one of an external liquid supply and the wash chamber to the wash aid dispenser when the door is in *both* the closed and opened positions. Rather, in Milocco, the conduit 10 supplying water to the water softener 7 comprises two discrete portions, one located in the casing 1 and one located in the door 3, and the two discrete portions, while connected to form a continuous liquid conduit when the door is closed, do *not* form a continuous liquid conduit when the door is opened. When the door is opened, the break-away coupling means 17 connecting the two portions breaks away, thereby separating the two portions, breaking the coupling between the external supply and the water softener 7, and preventing liquid supply through the conduit 10 to the water softener 7. Milocco does not mention connecting the two discrete portions of the conduit 10 in any manner other than via the break-away coupling means 17. The same description applies to the conduit 16 for supplying the softened water from the water softener 7 to the wash tub 2.

Additionally, Milocco does not disclose an extendable portion in the conduit to accommodate any changes in the hose length needed to move the door between the closed and opened positions. First, without disclosing the continuous liquid conduit, Milocco cannot teach an extendable portion in the conduit. Secondly, Milocco contains no teaching or suggestion of including an extendable portion in any of the portions of the conduits 10, 16 in the casing 1 or the door 3. Absent a disclosure of the continuous liquid conduit and the extendable portion, Milocco does not anticipate claim 27.

In addition to not being anticipated by Milocco, claim 27 is not obvious in view of Milocco. Milocco not only does not contemplate using a continuous liquid conduit for the supply of water to the water softener 7 or for the delivery of the water from the water softener 7 to the wash tub 2 but also identifies certain aspects and advantages of the water supply circuit comprising the break-away coupling means 17, 18 that would not be feasible with a continuous liquid conduit. See, for example, column 5, line 47 through column 6, line 12 of Milocco. These aspects and advantages include prevention of an improper flow of brine from the salt container 9 towards the water softener 7 even if the door 3 is temporarily opened before termination of the operative cycle of the dishwasher and prevention of damage to the conduits 10, 16 due to movement of the door 3. In making such statements, Milocco teaches away from modifying the Milocco conduits 10, 16 with the break-away coupling means 17, 18 to form a continuous liquid conduit. It follows that claim 27 is not obvious in view of and is patentable over Milocco.

Claims 2, 5, 6, 9, 10, and 16 depend directly or indirectly from claim 27 and are, thus, not anticipated by Milocco for at least the same reasons Milocco does not anticipate claim 27. Additionally, as claim 27 is not obvious in view of Milocco, claims 2, 5, 6, 9, 10, and 16 are also not obvious in view of Milocco for at least the same reasons as claim 27.

Claim 2 calls for the continuous liquid conduit to comprise a first hose portion carried by the housing, a second hose portion carried by the door, and a third hose portion fluidly connecting the first and second portions when the door is in both the closed and opened positions. As described above, Milocco does not disclose a continuous liquid conduit formed when the door is in both the closed and opened positions and, thus, cannot disclose a third hose portion fluidly connecting first and second hose portions in the housing and door when the door is in both the closed and opened positions. Further, Milocco does not even disclose such a third hose portion fluidly connecting first and second hose portions in the housing and door when the door is in *one* of the closed and opened positions. When the Milocco door is opened, there is obviously no fluid connection between the first and second hose portions in the housing and door and, therefore, no third portion fluidly connecting the first and second hose portions. When the Milocco door is closed, the first and second hose portions of the conduits 10, 16 are fluidly connected by the break-away coupling means 17, 18, which do not amount to the claimed third

hose portion. The Office Action states that the example of the flexible watertight seal given by Milocco as an example of the break-away coupling means 17, 18 reads on the third hose portion, but a seal hardly amounts to a hose portion. The generic description of seal includes no structure related to a hose, and a hose does not necessary form a seal. Thus, Milocco does not disclose the claimed third hose portion even when the door is in the closed position, much less the opened position, and does not anticipate claim 2. Claim 2 is also not obvious in view of Milocco as Milocco does not contemplate a third hose portion fluidly connecting first and second hose portions of a continuous liquid conduit when the door is in both the closed and opened positions.

Claims 7 and 8 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Milocco in view of U.S. Patent No. 4,086,937 to Hechler, IV (“Hechler”). The rejection is respectfully traversed.

Hechler discloses a dispensing nozzle 12 having a solute supply tube 18 and a solvent supply tube 20. The Examiner contends that although Milocco fails to disclose discrete multiple passages in the conduits 10, 16, it would have been obvious to modify Milocco to join the conduits 10, 16 to make them a two-way conduit as taught by Hechler.

Applicants respectfully traverse the combination of Milocco and Hechler. The Office Action has not met the standard for establishing a *prima facie* case of obviousness as it has not provided a proper rationale to make the combination of Milocco and Hechler and, thereby, support the conclusion of obviousness. In an attempt to provide a motivation to combine the references, the Office Action states that Milocco discloses a motivation for discrete passages and two-way flow; however, Hechler does not relate to two-way flow. Rather, Hechler discloses two conduits joined together for supply of liquids in one direction. Thus, the “motivation” of two-way flow given in the Office Action is not applicable to the Hechler reference in the alleged combination.

Assuming, *arguendo*, that the combination is proper, the combination would not render the claimed invention obvious to one of ordinary skill in the art. Claims 7 and 8 include by dependency the subject matter recited in claim 27, which, as described above, is not obvious in view of Milocco as Milocco does not disclose or contemplate the claimed continuous liquid conduit or the continuous liquid conduit with the extendable portion. Hechler does not alleviate

the deficiencies of Milocco; Hechler is also devoid of the claimed continuous liquid conduit or the continuous liquid conduit with the extendable portion. Because neither Milocco nor Hechler disclose these elements of claim 27, the alleged combination does not include such elements, nor would such elements be obvious in view of the alleged combination. It follows that claim 27 is not obvious in view of and is patentable over the alleged combination, and claims 7 and 8 are also not obvious in view of and are patentable over the alleged combination due to their dependency on claim 27.

Additionally, claim 7 is independently patentable over the alleged combination as it calls for the continuous liquid conduit to comprise multiple discrete fluid passages to provide multiple discrete sources of liquid to the wash aid dispenser. The combination of Milocco and Hechler as suggested in the Office Action would result in joining the supply conduit 10 and the delivery conduit 16, which provide a source of liquid to the water softener 7 and delivery of the softened water from the water softener 7 to the wash tub 2, respectively. Such an arrangement does not provide multiple discrete sources of liquid *to* the wash aid dispenser; rather, it only provides one source of liquid to the water softener 7 through the conduit 10 as the other conduit 16 is effectively an outlet conduit from the water softener 7. As the alleged combination does not include the limitation added by claim 7 related to the continuous liquid conduit comprising multiple discrete fluid passages to provide multiple discrete sources of liquid to the wash aid dispenser, and the limitation would not be obvious in view of the alleged combination, claim 7 is independently patentable over the alleged combination.

For at least the reasons presented above, claims 7 and 8 are patentable over the alleged combination of Milocco and Hechler.

Claims 14 and 15 stand rejected under 35 U.S.C § 103(a) as being unpatentable over Milocco in view of U.S. Patent No. 3,847,666 to Jacobs ("Jacobs") and further in view of Hechler. The rejection is respectfully traversed.

Jacobs discloses a three-way actuated valve 92 that directs fluid from the housing 97 through either a recirculation valve outlet port 94, a restricted valve outlet port 95, or to the drain conduit 104 at port 94. Hechler discloses a dispensing nozzle 12 having a solute supply tube 18 and a solvent supply tube 20.

The Office Action has not met the standard for establishing a *prima facie* case of obviousness as it has not provided a proper rationale to make the combination of and, thereby, support the conclusion of obviousness. The Office Action calls the use of a multiple outlet valve as a mere inclusion; however, the claims including the multiple outlet valve also include limitations related to the particular connections of the valve to the external water supply, the wash chamber, and the wash aid dispenser. Together, the multiple outlet valve and the limitations related to the connections of the valve define the water supply arrangement in the dishwasher and amount to more than a mere inclusion.

Further, making the alleged combination would result in rendering the prior art, particularly Milocco, unsatisfactory for its intended purpose. In Milocco, the primary reference of the combination, water is supplied from the external supply through the valve 11 and the conduit 10 to the water softener 7, where the water is treated and then provided to the wash tub 12 through the conduit 16. Thus, the water is supplied to the wash tub 2 through the water softener 7 so as to treat the water prior to supply to the wash tub 2. It would not be obvious to replace the valve 11 with the multiple outlet valve from Jacobs for supplying water to either the wash tub 2 or the water softener 7 because the route through the water softener 7 in Milocco is for supplying water to the wash tub 2. Such a replacement would lead to a redundant supply of water to the wash tub 2; both treated water (through the water softener 7) and untreated water (directly to the wash tub 2) would be supplied to the wash tub 2. As this modification suggested in the Office Action would result in providing untreated water to the wash tub 2 when the goal of the Milocco water supply circuit is to provide treated water to the wash tub 2, the proposed modification renders Milocco unsatisfactory for its intended purpose.

Assuming, *arguendo*, that the combination is tenable, the references do not teach or suggest all the claim limitations, and the claim limitations not taught would not have been obvious to one of ordinary skill in the art.

Claims 14 and 15 include by dependency the subject matter recited in claim 27, which, as described above, is not obvious in view of Milocco and Hechler. Jacobs does not alleviate the deficiencies of Milocco and Hechler as Jacobs is also devoid of the claimed continuous liquid conduit or the continuous liquid conduit with the extendable portion. Because neither Milocco

nor Hechler not Jacobs disclose these elements of claim 27, the alleged combination does not include such elements, nor would such elements be obvious in view of the alleged combination. It follows that claim 27 is not obvious in view of and is patentable over the alleged combination, and claims 14 and 15 are also not obvious in view of and are patentable over the alleged combination due to their dependency on claim 27.

Additionally, claim 14 is independently patentable over the alleged combination as it calls for a selectively-actuable, multiple outlet valve having one inlet connected to the external supply, one outlet connected to the wash chamber, and another outlet connected to the first hose portion of the continuous liquid conduit to selectively control the supply of liquid from the external supply to either the wash chamber or first hose portion. As explained above, a combination of Milocco, Hechler, and Jacobs cannot result in a liquid delivery system with separate outlets of a valve connected to the wash chamber and the water softener; the only feasible location for the multiple outlet valve in the combination would be at the juncture between the conduit 10 and the branch pipe 24, which does not meet the limitation in claim 14 of one outlet connected to the wash chamber to supply water to the wash chamber and another outlet connected to the first hose portion to supply water to the first hose portion of the continuous liquid conduit. Further, this limitation would not be obvious in view of the alleged combination. It follows that claim 14 is not obvious in view of and is patentable over the alleged combination of Milocco, Hechler, and Jacobs.

For at least the reasons presented above, claims 14 and 15 are patentable over the alleged combination of Milocco, Hechler, and Jacobs.

New claim 27 has been discussed above with respect to rejection of claim 1 from the Office Action. The remaining new claims, claims 28-32 are also patentable over the prior art of record. Of claims 28-32, claims 28 and 30 are independent claims.

Claim 28 relates to a dishwasher liquid delivery system for delivering liquid from an external supply to the wash aid dispenser provided on the inner face of the door. The liquid delivery system comprises a first selectively-actuable, multiple outlet valve having an inlet fluidly coupled to the external supply, a first outlet fluidly coupled directly to the wash chamber, and a second outlet fluidly coupled to the wash aid dispenser to selectively control the supply of

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liquid from the external supply to the wash chamber and the wash aid dispenser.

Claim 30 is directed to a dishwasher liquid delivery system for delivering liquid to the liquid-using wash accessory provided on the door. The liquid delivery system comprises a liquid conduit fluidly coupling at least one of an external liquid supply and the wash chamber to the liquid-using wash accessory, and the liquid conduit has a portion at least partially disposed within the wash chamber and forming a slide rail for a basket slidable within the wash chamber.

None of Milocco, Hechler, and Jacobs disclose these features of claims 28 and 30, nor would any of these features be obvious in view of these references taken alone or in any combination.

It is respectfully submitted that the claims are allowable over the prior art of record. Prompt notification of allowability is respectfully requested.

Respectfully submitted,

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